

Panaji, 20th August, 2002 (Sravana 29, 1924)

SERIES I No. 20

OFFICIAL GAZETTE

GOVERNMENT OF GOA



SUPPLEMENT No. 2

GOVERNMENT OF GOA

Goa Legislature Secretariat

LA/F-2/3610/2002

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 19th August, 2002 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa Contingency Fund (Third Amendment) Bill, 2002

(Bill No. 4 of 2002)

A

BILL

further to amend the Goa Contingency Fund Act, 1988 (Goa Act 4 of 1988).

BE it enacted by the Legislative Assembly of Goa in the Fifty-third Year of the Republic of India as follows:—

1. *Short title and commencement.*— (1) This Act may be called the Goa Contingency Fund (Third Amendment) Act, 2002.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Goa Contingency Fund Act, 1988 (Goa Act 4 of 1988), for the words "ten crores", the words "thirty crores" shall be substituted.

Statement of Objects and Reasons

Under Article 267(2) of the Constitution of India, the Goa Contingency Fund Act, 1988 (Goa Act 4 of 1988) was enacted providing for establishment of a Contingency Fund for the State of Goa, for custody of such fund and for payment of moneys into and withdrawal of moneys from it. The corpus of the Contingency Fund is presently fixed at Rs. 10.00 crores. Due to the fast pace of developmental activities in sectors such as, power, tourism, airport and also other sectors the present corpus of the Contingency Fund of Rs. 10.00 crores is found to be inadequate. Hence, it is necessary to enhance the corpus of the Contingency Fund from Rs. 10.00 crores to Rs. 30.00 crores on permanent basis.

This Bill seeks to achieve the above objects.

Financial Memorandum

A provision has been made for augmenting the corpus of the Contingency Fund to Rs. 30.00 crores from the existing corpus of Rs. 10.00 crores by withdrawing like sum from the Consolidated Fund of the State of Goa.

Panaji,

MANOHAR PARRIKAR

14th August, 2002.

Chief Minister

Memorandum regarding delegated legislation

No delegated legislation is envisaged in this Bill.

Governor's Recommendation

In pursuance of Article 207 of the Constitution of India, I, Mohammed Fazal, the Governor of Goa, hereby recommend to the Legislative Assembly of Goa the introduction and the consideration of the Goa Contingency Fund (Third Amendment) Bill, 2002.

LA/F-2/3610/2002

The following Bill which was introduced in the Legislative Assembly of the State of Goa on 19th August, 2002 is hereby published for general information in pursuance of the provisions of Rule-138 of the Rules of Procedure and Conduct of Business of the Legislative Assembly.

The Goa University (Amendment) Bill, 2002

(Bill No. 11 of 2002)

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BILL

further to amend the Goa University Act, 1984 (Act No. 7 of 1984).

BE it enacted by the Legislative Assembly of Goa in the Fifty-third Year of the Republic of India, as follows:—

1. Short title and commencement.— (1) This Act may be called the Goa University (Amendment) Act, 2002.

2. It shall be deemed to have come into force with effect from 30-11-2001.

2. Insertion of new sections.— In the Goa University Act, 1984 (Act 7 of 1984), after section 15, the following Sections, shall be inserted, namely:—

"15A. Retirement Age.— The retirement age on superannuation of Registrar, Dean of Faculty, Professor, Reader, Assistant Professor, Lecturer, Finance Officer, Deputy Registrar, Assistant Registrar and other teaching and non-teaching staff, except the employees in "D"

category of the Goa University, and teaching and non-teaching staff of affiliated college of the University, within exception of employees in "D" category whether aided by the Government or not including the Principals of such colleges shall be fifty-eight years:

Provided that only the members of the teaching staff referred to above who are in service beyond the age of fifty-eight years and has not attained the age of sixty years during the academic year 2002-2003, such members of the teaching staff shall be allowed to continue in service till the end of the academic year 2002-2003, by grant of extension in service:

Provided further that any member of the teaching staff referred to above who is due to retire on superannuation in the middle of the academic year such member of the teaching staff shall be allowed to retire at the end of such academic year.

Explanation.— For the purpose of this Section, "academic year" shall mean the period from 1st June to 31st May.

15B. Bar on University and its authorities.— The Goa University or for that matter any authority under the Goa University Act, 1984 (Act 7 of 1984), shall not have any powers to make any statute dealing with the age of retirement or extension in service of any teaching and non-teaching staff or any employee of the University or any employee of aided or non-aided colleges affiliated to the said University and any such powers if stands conferred on any authority under the provisions of the said Act, 1984 shall to that extent stand repealed. Any statute so made or existing shall, to the extent it contravenes any of the provisions of the Goa University (Amendment) Act, 2002, be deemed to be void and of no effect.

15C. Provision for giving effect over other existing provisions.— Notwithstanding anything contained in any other provisions of this Act or Statutes and Ordinances of the University or any other law for the time being in force or notification, rules, regulations, decree, order or judgement of any court, circular or instructions, every employee of the Goa University and also that of all colleges affiliated to the Goa University, whether aided or not, and falling in teaching or non-teaching category, including Principals

of such colleges, except "D" category employees, shall retire on superannuation at the age of fifty-eight years".

Statement of Objects and Reasons

The age of retirement on superannuation of the Government servants including teaching and non-teaching staff in the Government run colleges is fixed at 58 years by the Government of Goa. Statute No. SC-6(ix) of the Statutes of the Goa University however has fixed the age of retirement of teachers of the University and that of Government aided colleges including Principals of such Colleges at 60 years.

In order to fix the age of retirement on superannuation at 58 years also in respect of teaching and non-teaching staff of the Goa University and Government aided colleges, it is proposed to insert some new sections in the Goa University Act, 1984 (Act 7 of 1984).

This Bill seeks to achieve above objects.

Financial Memorandum

No financial implications are involved in this Bill.

Memorandum Regarding Delegated legislation

No delegated legislation is envisaged in this Bill.

Panaji-Goa

16th August, 2002.

MANOHAR PARRIKAR

Minister for Education

Assembly Hall,

Porvorim-Goa.

S. A. NARVEKAR

Secretary (Legislature)

ANNEXURE

Extract from the Goa University Act, 1984

(7 of 1984)

15. *Other Officers.*— The manner of appointment and powers and duties of other officers of the University shall be prescribed by the Statutes.